

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY  D.C.

05 DEC 14 PM 2: 37

**RICHARD A. ASHE and wife,  
CYNTHIA ASHE**

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W.D. OF TENNESSEE

**Plaintiffs,**

**v.**

**CAUSE NO. 05-2586 – MI/V  
Jury Demanded**

**CITY CONCRETE COMPANY, LLC,**

**Defendant.**

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**SCHEDULING ORDER**

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Pursuant to written notice by the Court, a scheduling conference was scheduled for December 19, 2005. A proposed Scheduling Order was presented by Jefferson D. Gilder, counsel for Plaintiffs and Lauren L. Holloway, counsel for Defendant. Upon review of the Court, the Order is approved and the following dates are established as the final dates except as otherwise amended by the Court:

1. **INITIAL DISCLOSURES PURSUANT TO Fed.R.Civ.P. 26(a) (1):**
  - ♦ January 6, 2006
2. **JOINING PARTIES:**
  - ♦ February 20, 2006
3. **AMENDING PLEADINGS:**
  - ♦ February 20, 2006
4. **INITIAL MOTIONS TO DISMISS:**
  - ♦ March 20, 2006



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**5. COMPLETING ALL DISCOVERY:**

♦ June 30, 2006

**(a) DOCUMENT PRODUCTION:**

♦ June 30, 2006

**(b) DEPOSITIONS, INTERROGATORIES AND REQUESTS FOR ADMISSIONS:**

♦ June 30, 2006

**(c) EXPERT WITNESS DISCLOSURE (Rule 26):**

**(1) DISCLOSURE OF PLAINTIFFS' RULE 26 EXPERT INFORMATION:**

♦ April 30, 2006

**(2) DISCLOSURE OF DEFENDANT'S RULE 26 EXPERT INFORMATION:**

♦ May 30, 2006

**(3) EXPERT WITNESS DEPOSITIONS:**

♦ June 30, 2006

**6. FILING DISPOSITIVE MOTIONS:**

♦ July 30, 2006

**7. OTHER RELEVANT MATTERS:**

No depositions may be scheduled to occur after the discovery cutoff date without Court approval. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

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Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection, which is the subject of the motion, if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

This case is set for jury trial, and the trial is expected to last 2 days. The pretrial order date, pretrial conference date, and trial date will be set by the presiding judge.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation after the close of discovery.


The parties are reminded that pursuant to Local Rule 11(a) (1) (A), all motions, expert motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

**IT IS SO ORDERED.**

  
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DIANE K. VESCOVO  
UNITED STATES MAGISTRATE JUDGE

DATE: December 14, 2005



## Notice of Distribution

This notice confirms a copy of the document docketed as number 6 in case 2:05-CV-02586 was distributed by fax, mail, or direct printing on December 14, 2005 to the parties listed.

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Honorable Jon McCalla  
US DISTRICT COURT